

FISCAL NOTE

HB 2626 - SB 2826

February 20, 2006

SUMMARY OF BILL: Makes it an unfair or deceptive act or practice under the *Tennessee Consumer Protection Act of 1977* to require a purchaser to pay a restocking fee upon the return of defective goods. A violation is punishable as a Class B misdemeanor, through the levying of civil penalties and through private rights of action.

ESTIMATED FISCAL IMPACT:

Increase State Revenues – Not Significant
Increase State Expenditures – Not Significant

Increase Local Govt. Revenues – Not Significant
Increase Local Govt. Expenditures – Not Significant

Assumptions:

- A not significant increase in state revenues from the collection of civil penalties.
- A not significant increase in state expenditures to handle complaints generated under the provisions of this bill.
- There will not be a sufficient number of prosecutions for local governments to experience any significant increase in revenues or expenditures.
- Some increase in cases in the court system, through private rights of action, which will result in additional state and local government expenditures for processing cases and additional state and local government revenues from fees, taxes and costs collected. However, such increases will not be significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director